

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE:	:	
Terence Poulton	:	Chapter 13
Shannon Poulton	:	Case No.: 20-12607-MDC
Debtor(s)	:	

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**THIRD MOTION TO MODIFY PLAN AFTER CONFIRMATION**

Debtors, Terence & Shannon Poulton, by and through the undersigned counsel, hereby move this Honorable Court to Modify their Chapter 13 Plan and in support thereof aver as follows:

1. Debtors filed a Chapter 13 Petition on June 11, 2020.
2. The Chapter 13 Plan was confirmed on September 24, 2020.
3. On June 15, 2022, Wells Fargo Bank, N.A., the lienholder of the debtors' vehicle, filed a Certificate of Default for the alleged default of the Stipulation of Settlement entered May 2021.
4. After an attempt to resolve the default, the debtors agreed to surrender the vehicle and an Order granting Relief was entered July 27, 2022.
5. Wells Fargo Bank N.A. is expected to file an Amended Proof of Claim (#4-1) to reduce the secured portion to \$688.17, the remaining balance due prior to the Order Granting Relief.
6. In the debtors' attempt to retain their vehicle, they were unable to maintain regular payments due to the Chapter 13 Trustee and a Motion to Dismiss was filed July 20, 2022.
7. Debtor has paid \$25,888.00 to the Chapter 13 Trustee to date.

8. The Modified Chapter 13 Plan will provide for plan payments in the amount of \$1,316.00 per month for the remaining 34 months for a new base amount of \$70,632.00.
9. An Amended Schedule J will follow the filing of this Motion to demonstrate the feasibility of the Modified Plan.
10. The debtors are aware they must remain current on all ongoing obligations and payments due to the Chapter 13 Trustee in order to avoid any future attempts to dismiss the case.

WHEREFORE, Debtors, by the undersigned counsel, respectfully request this Honorable Court to enter an Order Modifying the Chapter 13 Plan in consideration of the surrendered vehicle and pending Amended Proof of Claim of Wells Fargo Bank, N.A.

Dated:

/s/Brad J. Sadek, Esq  
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